Mr. President: Yes. We may take them together.

Mr. C. R. Iyyunni *(Minister for Revenue):* As the House is aware, some of the persons who had gone in Labour Units to Assam and other places died and some of them were disabled. Now there are 75 cases pending before the Government. There was an establishment which was running till the end of Kanni 1122. Now there are 75 cases where the dependants of those persons who are either dead or disabled have to be paid. So it is requested that for 4 months the persons who are in charge of the establishment may be continued and the amount comes to Rs. 1,430—8—0, *i.e.*, temporary establishment Rs. 456, dearness allowance Rs. 310—8—0, Rs. 4 for contingencies—cleaning charges, Rs. 60 for rent and Rs. 600 for miscellaneoht expenditure. On the whole the amount comes to Rs. 1,430—8—0. If the establishment is not kept on for 4 months, it will not be possible to distribute the amounts of compensation for the 75 families. It is for that purpose that these allotments are requested for.

Demands put and carried

(11) "2A-I-Agriculture—Printing charges"

Mr. C. R. Iyyunni *(Minister for Revenue):* I request that an additional allotment of Rs. 2,500 may be granted under "2-A-1-Agriculture-Printing charges". The fact is that some expenditure was incurred in connection with the printing of so many leaflets and other things and the accounts reached the Office of the Agriculture only after the Budget Session. That was the reason why this was not included in the Budget and therefore I request that a sum of Rs. 2,500 may be granted as additional allotment.

Demand put and carried

(12)—(16) "33-Industries—Temporary establishment—etc."

Mr. C. R. Iyyunni *(Minister for Revenue):* I request that an additional sum of Rs. 1,205 under "33-Industries—Temporary Establishment" and there are a few more item Nos. 13, 14, 15 and 16. All these things go together and relate to one matter, *i.e.*, temporary establishment. During the Budget Session last year, that is in Karkadagam, an Act was passed for the Registration of Trade Marks. For that it is necessary that there should be an establishment consisting of the following.—

One assistant to the Additional Registrar of Trade Marks on Rs. 80—100.

	Rs.
One Accountant on	40—60
One Clerk on	25—40
One Typist on	25—60

and two peons for Rs. 11 per mensem each. The total comes to Rs. 3,295. The necessity for having this establishment is that the Trade Marks that are registered in British India have to be registered here also. So also the Trade Marks registered here will have to be registered there. It is for that purpose that an establishment is necessary. Now that we have passed a Trade Marks Act here, there should be an establishment. It is for this purpose that the demand of Rs. 3,295 is made.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* I would like to get some information on my cut motion. What I want to know is this, Sir. Is not this a new establishment, or is it an addition to the already existing establishment.

Mr. C. R. Iyyunni *(Minister for Revenue):* This is entirely a new establishment. The Director of Industries and Commerce is the Additional Registration Officer. This is an assistant to him even though he is nominally the Registration Officer. The work will have to be turned out by this Officer and the persons mentioned here. It is entirely a new establishment. Up till now there was no Trade Marks Act. Now we have to carry it out. It is for that purpose that the amount is required.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Have the appointments been made already?

Mr. C. R. Iyyunni *(Minister for Revenue):* The present Manager of the Office of the Director of Industries and Commerce is deputed for training to Bombay for a period of one month. I don't think that the appointments have been made.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* I believe that we can take it that the appointments have not been made.

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Rao Sahib P. V. Raphael *(Chief Secretary to Government)* : I think so.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: I read from the papers that the Assistant contemplated is arranged to be sent to Bombay. Or is it a case of appointment having been made or one contemplated to be appointed?

Mr. C. R. Iyyunni *(Minister for Revenue)*: There is already one sent to Bombay. When he comes back he will have to be appointed.

Rao Sahib C. J. Mathew *(Secretary to Government)*: He has already been appointed and he has been deputed for training.

***Mr. P. Kumaran Ezhuthassan** *(Vadakkancheri)*: In that case, Sir, I have to move my cut motion. From the wording of the notes I was under the impression that there is already an Additional Registrar of Trade Marks. Of course, that has to be explained. Nominally, the Director of Industries is the Additional Registrar. Now in the light of the answer that is given by the Hon'ble Secretary for Development that the appointment has already been made, the whole matter stands on a different footing. Therefore, with some reluctance, I have to move the cut.—to reduce Rs. 3,295 under "33 Industries" by Rs. 1,000, to point out to the Government that the appointment of the assistant to the Additional Registrar of Trade Marks is not necessary. In the light of the observation or rather the helpful information that was supplied by the Hon'ble Minister for Revenue, the cut motion in the form in which it is worded here is not tenable, because the appointment is said to be absolutely necessary and I have no quarrel with that position.

Mr. President: I take it that the Hon'ble Member is not pressing the cut.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)* : I am not moving the cut, but I am opposing the demand. It has been said, Sir, that after the passing of the Registration of Trade Marks Act it has been found necessary to have the necessary establishment to do that work for which that enactment has been passed. Now the information supplied by the Hon'ble Secretary to Government that the appointment has already been made compels me to oppose the demand though reluctantly, but, for very good reasons, Sir. My opposition is based not upon the want of necessity for the appointment, but for the appointment having been made before consulting this House. It is on that principle that I oppose the demand. Here is the House consisting of the elected represntatives of the people with the change I was twice referring to earlier, regarding administration and that Government to make an appointment without consulting this House, not about the person but about the office, is something like unthinkable. A popular Government making an appointment without consulting the very persons on whose behalf and on whose sufference the Government exists making that appointment is unthinkable, unpardonable. That is a charge that this popular Ministry should not have courted. I am sorry that they have courted it. Therefore, I move to resent it and I do resent it by opposing this demand.

Mr. C. R. Iyyunni *(Minister for Revenue)*: I do not think any reply is necessary from me.

Mr. Parambi Lonappen *(Minister for Public Health)* : When is the date of appointment?.

Mr. C. R. Iyyunni *(Minister for Revenue)*: I want notice for that.

Mr. Parambi Lonappen *(Irinjalakkuda)*: When is the date of appointment? I wish to get an answer from the Hon'ble Secretary to Government.

Rao Sahib C. J. Mathew *(Secretary to Government)*: The appointment has been sanctioned by the Government. I want notice for the date.

Mr. C. R. Iyyunni *(Minister for Revenue)*: The matter ought to engage the attention of this House at the time when the Act was passed. When the Act was passed it means that you have to carry it out. I do not know how the Government can carry it out with satisfaction immediately the thing has been put on the Statute Book without the necessary staff. There has been an additional item of expenditure. Suppose there is no Council sitting what will be the effect ? Does it mean that it need not be carried out ?

Mr. Parambi Lonappen *(Irinjalakkuda)*: That is the reason why we wanted the date of the appointment.

Mr. President: That question has been put and the Hon'ble Minister for Revenue has said that he requires notice.

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*Speech not corrected by the Hon'ble Member.

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Rao Sahib C. J. Mathew *(Secretary to Government):* The order is dated 24th September 1946.

Mr. C. R. Iyyunni *(Minister for Revenue):* Under such circumstances I do not think there can possibly be a reasonable complaint for making this appointment and for granting this additional allotment. I pray that this House may be pleased to grant these amounts.

Demands put and carried

(17) "34-Industries (Transferred)"

Mr. C. R. Iyyunni *(Minister for Revenue):* I move for an additional allotment of Rs. 4,434 under "34-Industries (Transferred)—Cherpu Centre—Other charges". Last year, a sum of Rs. 6,000 was set apart for the construction of a semi-permanent shed in the Industrial Centre, Cherpu. It was subsequently found that the amount of Rs. 6,000 was not sufficient and a sum of Rs. 4,434 was found wanting. It is for that purpose that I ask for an additional allotment of Rs. 4,434 under that head. I pray that the House will be pleased to grant this allotment.

Mr. P. A. Muhamed Ashroff *(Cranganur):* On a point of information, Sir. May I know whether there is any portion of the Industries Department which is reserved?

Mr. President: Order, order. The "Industries (Transferred)" here is a quotation from the Budget. At the time the Budget was drafted, part of the Industries Department was reserved. Now there is no reserved Department.

Demand put and carried

(18) "38-Income-Tax"

***Mr. C. R. Iyyunni** *(Minister for Revenue):* I move that an additional allotment of Rs. 73,315 be granted to Government under "38-Income-tax". The Sales Tax Act was passed in the last session of the Council, *i.e.*, the Budget Session. Since that time for the carrying out of the provision under that Act an establishment had to be created. Under the Establishment a list has already been given of the various items of expenditure necessary. Of course, there is a complaint tabled here that there was hurry exhibited in making appointments under the Sales Tax Department. Of course, I am anticipating the cut motion by Mr. P. Kumaran Ezhthassan. There is a certain amount of truth that it was done in a hurry and it had to be done rather expeditiously and quickly for the reason that the tax will have to be collected from the persons from whom it is to be collected under the Sales Tax Act. With regard to that matter, I just want to give the information that the appointments have been made one day earlier than the date on which we took charge. It may be that it would have been more graceful if the appointments were made after the Ministry took charge. But when expedition and despatch is the cry of the day, in this particular matter when a certain amount of haste or hurry was made, I do not think there is much room for complaint, provided what has been done is the proper thing under the circumstances. I can only say that much. Since the various items given here are absolutely necessary for running the establishment, I pray that the demand be accepted and the House be pleased to grant the allotment.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* I move, Sir, that this supplementary grant of Rs. 73,315 under "38-Income-tax" be reduced by Re. 1, to censure the Government in the hurry exhibited by them in making the appointment to the Sales-Tax Department.

Mr. President: Does the Hon'ble Member move the other cut motion together with this?

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* No, Sir, that stands on a different footing.

The wording of the cut motion shows what the purpose is. The Hon'ble Minister who moved the grant has given us very useful information. It was one day before my esteemed friends took charge that these appointments costing the Government a small sum of Rs. 73,000 and odd were made; and the apologia put forward by my Hon'ble friend the Minister for Revenue for the persons who were responsible for making these huge appointments, is that when despatch is the cry of the day there is not much room for complaint. I do concede that there is no room for complaint, but abundant room for censuring the Government exists as distinguished from complaint. I am not registering any complaint at all. There is no petition

*Speech not corrected by the Hon'ble Member.

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